



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, 16 जून, 1973/26 ज्येष्ठ, 1895

GOVERNMENT OF HIMACHAL PRADESH PUBLIC WORKS (B) DEPARTMENT NOTIFICATION

Simla-2, the 31st May, 1973

No. 2-35/70-P.W.D.—In exercise of the powers conferred upon him under sub-section (1) of section 48 of the Land Acquisition Act, 1894, the Governor, Himachal Pradesh is pleased to withdraw from the proceedings launched for the acquisition of 2734 sq. yds. and 7 sq. ft. land in Station Ward Chhota Simla "Premises known as Himland Hotel Estate", Simla, which was notified under sections 4, 6 and 7 of the said Act for the public purposes, namely for the Panchayat Bhawan, vide notifications of even number, dated the 23rd April, 1971 and 4th December, 1971.

By order,

H. S. DUBEY,
Secretary.

PANCHAYATI RAJ DEPARTMENT NOTIFICATION

Simla-2, the 2nd June, 1973

No. 4-2/71-CDP(PNT)-II.—In exercise of the powers conferred by section 163 read with clause (f) of sub-section (3) of section 169 of the Himachal Pradesh Panchayati Raj Act, 1968 (Act No. 19 of 1970), the Governor, Himachal Pradesh is pleased to make the following rules entitled as the Himachal Pradesh Zila Parishad (Co-option of Members) Rules, 1973, the same having been previously published in the Official Gazette:—

RULES

Short title,
commence-
ment and
repeal.

1. (1) These rules may be called the Himachal Pradesh Zila Parishads (Co-option of Members) Rules, 1973.

(2) They shall come into force at once.

(3) The Punjab Zila Parishads (Co-option of Members) Rules, 1961 in force in the transferred territory, are hereby repealed.

Definitions

2. In these rule, unless the context otherwise requires,—

(a) 'Act' means the Himachal Pradesh Panchayati Raj Act, 1968;

(b) 'Form' means a form appended to these rules;

(c) 'Member' means a person specified in clauses (a) and (b) of sub-section (3) of section 139 of the Act;

(d) 'section' means a section of the Act;

(e) words and expressions used but not defined in these rules shall have the meanings assigned to them in the Act.

Notice of
special meet-
ing for co-
option. Sec-
tion 139 (3)
(f) of the
Act.

3. (1) After a notification of election of members of Zila Parishad has been issued, the Deputy Commissioner or any Gazetted Officer appointed by him in this behalf (hereinafter referred to as 'Presiding Officer'), shall convene a meeting of the members at the office of the Zila Parishad or at such other place as he may determine in this behalf for the purpose of co-opting members as required by clause (f) of sub-section (3) of section 139. Such meeting shall be convened after giving five days' clear notice to the members.

(2) The notice referred to in sub-rule (1) shall state—

(i) the date, time and place of meeting;

(ii) the number of women, elected as members; and the number, if any, of women to be co-opted; and

(iii) the number of persons belonging to scheduled castes elected as members and the number, if any, of such persons to be co-opted.

Quorum

4. (1) One-half of the total number of members shall constitute a quorum for the co-option of persons.

(2) If at the first meeting there be no quorum present as specified in sub-rule (1), the Presiding Officer shall adjourn the meeting.

(3) When a meeting is adjourned under sub-rule (2) another meeting shall be convened by the Presiding Officer for the purpose of co-opting members by giving three days clear notice to the members.

(4) No quorum shall be necessary for the second meeting.

5. (1) On the day fixed for the meeting, particulars of the persons proposed for co-option shall be furnished in Form 'A' to the Presiding Officer, by the members proposing and seconding such persons.

Particulars of persons proposed for co-option to be furnished.

(2) Only these persons may be proposed for co-option who are—
(i) Panches or Sarpanches of Gram Panchayats.

6. (1) The Presiding Officer shall read out the particulars of the persons proposed to all the members present and also explain them—

Method of co-option.

- (a) the purposes for which the meeting has been called ;
- (b) the number of women and persons belonging to scheduled castes to be co-opted ;
- (c) the disqualifications and qualifications laid down in section 64 and 65 of the Act ;
- (d) the need to co-opt only those persons who have agreed to serve on the Zila Parishad, if co-opted.

(2) After satisfying himself that the persons whose names have been proposed are eligible for being co-opted the Presiding Officer shall, if the number of scheduled castes candidates or women candidates is equal to or less than the number of persons belonging to scheduled castes, or the number of women, as the case may be, to be co-opted, declare such candidates to be co-opted. Otherwise, he shall call upon the members to decide the co-option of the required number of persons by secret ballot in the manner hereinafter laid down.

7. (1) The Presiding Officer shall provide in the place where the meeting is held two voting compartments, one for women candidates and the other for scheduled castes candidates, to be co-opted, in which members can record their votes without being overseen. The Presiding Officer shall also provide two sealed ballot-boxes, one for the co-option of women and the other for the co-option of scheduled castes candidates, and shall place them in such a manner so that they can be seen by him during polling. The ballot-boxes shall be so constructed that ballot papers can be introduced therein but cannot be withdrawn therefrom without the boxes being unlocked or opened.

Voting and result of co-option.

(2) Immediately before the commencement of the poll, the Presiding Officer shall show the ballot-boxes in open condition, to all the members present, so that they may see that the boxes are empty. The Presiding Officer shall thereafter lock the ballot boxes and affix his seal upon it in such a manner so as to prevent its being opened without breaking such seals.

(3) Every member wishing to vote shall be supplied with a ballot paper in Form 'B' for the co-option of women and a ballot paper in Form 'C' for the co-option of persons belonging to scheduled castes, on which names of the contesting candidates shall be printed, typed or legibly written in "Hindi" in an alphabetical order. The ballot-papers shall be signed by the Presiding Officer before being handed over to the members. The ballot-paper for the co-option of scheduled castes candidates shall be supplied after the member has exercised his right to vote for the co-option of women candidates.

(4) The member shall, on receiving the ballot paper, proceed to the place set apart for voting and there place a cross mark "(X)" in column

(3) of the ballot paper against the name or names of the candidate for whom he wishes to vote with a red or blue pencil.

(5) Each member shall have a right to cast as many votes for scheduled castes candidates as there are number of persons belonging to such castes to be co-opted and as many votes for women candidates as there are number of women to be co-opted.

(6) He shall then fold the ballot-paper to ensure secrecy, and deposit it in the ballot box.

(7) In the case of a member who is illiterate or is physically incapacitated from voting, the Presiding Officer shall, at his or her request, take him or her to the place set apart for voting; ascertain his or her choice, accordingly mark the ballot-paper, fold it to ensure secrecy of the ballot.

(8) The Presiding Officer shall cause all necessary arrangements to be made as will ensure secrecy of the ballot.

(9) Every member wishing to record his vote shall do so in person and not by proxy.

(10) Immediately after the voting is over, the Presiding Officer shall open the ballot boxes and count the votes, separately for women and scheduled castes candidates in the presence of such members as may be present and declare the results in the following manner:—

(a) The candidate who is found to have obtained the largest number of valid votes, or if more than one is to be co-opted the candidates upto the number of persons to be co-opted who are found to have obtained the largest number of valid votes shall be declared to have been co-opted.

(b) In the event of a number of contesting candidates polling the same number of votes, the Presiding Officer shall draw lots in the presence of members and the candidate or candidates whose name or names are first drawn shall be declared to have been duly co-opted.

(11) The result shall be declared in Form "D".

Validity of
ballot-papers.

8. Any ballot-paper which bears any mark or signature by which the voter can be identified or on which the mark "(X)" is placed against more than the number of persons to be co-opted or in an ambiguous manner or in contravention of the provisions of sub-rule (5) of rule (7) or which does not bear the signature of the Presiding Officer as prescribed in sub-rule (3) of rule 7, shall be declared invalid.

Preparation
of record of
proceedings
and the
publication
of result of
election.

9. Immediately after the meeting for co-option is over, the Presiding Officer shall—

(a) prepare in Form "E" a record of proceedings of the meeting and sign it, attesting with his initials every correction made therein and also permit any member present at the meeting to affix his signature or thumb-mark to such record if he so desires; and

(b) publish on the notice board of the Zila Parishad and such other conspicuous place as may be determined by him, a notification signed by him, stating the names of the members who have been co-opted and send a copy of such notification to the Deputy Commissioner for publication in the official Gazette.

FORM 'A'
(See rule 5)

1. Name of the District.
2. Name of the Zila Parishad.
3. Name of person proposed.
4. Age.
5. Sex.
6. Address.
7. Caste to which he or she belongs.
8. Full name and address of proposer.
9. Full name and address of seconder.

Note.—Item 7 is to be filled up only in the case of members of the scheduled castes.

DECLARATION BY PROPOSER AND SECONDER

We, the proposer and seconder, hereby declare that the person proposed does not suffer from any of the disqualifications laid down in section 64 of the Himachal Pradesh Panchayati Raj Act, and that he or she is willing to serve as a member of the Zila Parishad, if co-opted.

Signature of Proposer.
(Name and address)

Signature of Secunder
(Name and address).

Date.....

FORM 'B'

[See sub-rule (3) of rule 7]

BALLOT PAPER CO-OPTION OF WOMEN

Sl. No.	Name and description of the candidates	For mark (X) by voter
1.		
2.		
3.		
4.		
5. etc.		

Signature of Presiding Officer.

FORM 'C'

[See sub-rule (3) of rule 7]

BALLOT PAPER FOR CO-OPTION OF PERSONS BELONGING TO SCHEDULED CASTES

Sl. No.	Name and description of the candidates	For mark (X) by voter
1.		
2.		
3.		
4.		
5. etc.		

Signature of Presiding Officer.

FORM 'D'

[See sub-rule (11) of rule 7]

Name of District.
Name of Zila Parishad.
Names of members present.

- 1.
- 2.
3. etc.

Number of persons to be co-opted:

(a) Women

- 1.
- 2.

(b) Scheduled Castes.

- 1.
- 2.

Name and full address of persons co-opted:

(a) Women

- 1.
- 2.

(b) Scheduled Castes

- 1.
- 2.

Signature of Presiding Officer.

Date

Signature or thumb-mark of members present:

- (1)
- (2)
- (3)
- (4) etc.

FORM 'E'

(See rule 9)

Name of District.
Name of Zila Parishad.
Date, time and place of meeting.
Number of members present.

Names of persons, if any, co-opted, without election:—

(a) Women

- 1.
- 2.

(b) Scheduled Castes

- 1.
- 2.

Date

Signature of Presiding Officer.

PRITPAL SINGH,
Under Secretary.

**PERSONNEL (A-I) DEPARTMENT
NOTIFICATION**

Simla-2, the 12th June, 1973

No. 2-5/73-DP-Apptt. (Vol. II).—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh hereby makes the following rules further to amend the Himachal Pradesh Administrative Service Rules, 1973, namely:—

1. (1) These rules may be called the Himachal Pradesh Administrative Service (Third Amendment) Rules, 1973.

(2) They shall be deemed to have come into force with effect from 15th March, 1973.

2. In the Himachal Pradesh Administrative Service Rules, 1973, in rule 11, for proviso 1 to sub-rule 2(a), the following proviso shall be substituted, namely:—

“Proviso 1 to rule-11 (2) (a):

Provided that a candidate belonging to scheduled castes/tribes will be entitled to deduct from his age such period as may, from time to time, be allowed by Government in respect of his entry into service under the State.

This concession allowed to scheduled castes/tribes will also apply to candidates of backward classes belonging to or residing in Himachal Pradesh”

3. In the Himachal Pradesh Administrative Service Rules, 1973, in rule 11, for sub-rule 11 (2) (c), the following shall be substituted, namely:—

“Sub-rule 11 (2) (c):

Who does not by the closing date for receipt of application to be notified by the Commission send a crossed Indian Postal Order for sixty rupees or in the case of scheduled castes/tribes, one-fourth of this amount on account of examination fee which in no circumstances will be refunded or held over for the subsequent examination.

This concession allowed to scheduled castes/tribes shall also apply to candidates of backward classes belonging to or residing in Himachal Pradesh”

U. N. SHARMA,

Chief Secretary.

उप-नियन्त्रक, मुद्रण तथा लेखन-सामग्री, हिमाचल प्रदेश, शिमला-3 द्वारा मुद्रित तथा प्रकाशित ।